COMMITTEE REPORT

MADAM PRESIDENT:

 The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 477, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1	Replace the effective dates in SECTIONS 1 through 8 with
2	"[EFFECTIVE JULY 1, 2009]".
3	Replace the effective dates in SECTIONS 10 through 12 with
4	"[EFFECTIVE JULY 1, 2009]".
5	Replace the effective dates in SECTIONS 14 through 16 with
6	"[EFFECTIVE JULY 1, 2009]".
7	Page 3, line 10, after "article" delete ", including" and insert ".
8	**However, the department may use the**".
9	Page 3, line 11, after "IC 22-4-29.5" delete "." and insert "**only if the**
10	**department determines that the overpayment to an individual**
11	**occurred as the result of fraud as described in subsection (c).**".
12	Page 5, line 9, delete "(a) As used in this section, "employer"".
13	Page 5, delete lines 10 through 16.
14	Page 5, line 17, reset in roman "(a)".
15	Page 5, line 17, delete "(b)".
16	Page 5, run in lines 9 through 17.
17	Page 5, line 19, reset in roman "(b)".
18	Page 5, line 19, delete "(c)".
19	Page 5, line 32, reset in roman "(c)".

1   Page 5, line 32, delete "(d)".

2   Page 5, line 32, reset in roman "(b),".

3   Page 5, line 33, delete "(c),".

4   Page 6, line 3, reset in roman "(b)(2).".

5   Page 6, delete line 4.

6   Page 6, line 5, reset in roman "(d)".

7   Page 6, line 5, delete "(e)".

8   Page 6, line 5, reset in roman "(b)".

9   Page 6, line 5, delete "(c)".

10   Page 6, line 13, reset in roman "(b).".

11   Page 6, line 13, delete "(c).".

12   Page 6, line 14, reset in roman "(e)".

13   Page 6, line 14, delete "(f)".

14   Page 6, line 15, reset in roman "(d)(2)".

15   Page 6, line 15, delete "(e)(2)".

16   Page 6, line 28, reset in roman "(f)".

17   Page 6, line 28, delete "(g)".

18   Page 6, line 37, reset in roman "(g)".

19   Page 6, line 37, delete "(h)".

20   Page 6, line 41, reset in roman "(h)".

21   Page 6, line 41, delete "(i)".

22   Page 7, line 2, reset in roman "(b)(2).".

23   Page 7, line 2, delete "(c)(2).".

24   Page 7, line 3, reset in roman "(i)".

25   Page 7, line 3, delete "(j)".

26   Page 7, line 13, reset in roman "(j)".

27   Page 7, line 13, delete "(k)".

28   Page 7, line 16, reset in roman "(b)(2)".

29   Page 7, line 16, delete "(c)(2)".

30   Page 7, line 25, reset in roman "(k)".

31   Page 7, line 25, delete "(l)".

32   Page 7, line 29, reset in roman "(l)".

33   Page 7, line 29, delete "(m)".

34   Page 7, line 32, reset in roman "(m)".

35   Page 7, line 32, delete "(n)".

36   Page 7, line 38, reset in roman "(b)(2)".

37   Page 7, line 38, delete "(c)(2)".

38   Page 8, between lines 3 and 4, begin a new paragraph and insert:

1   **"Sec. 1. (a) This chapter applies to an individual whose**

2   **overpayment of benefits occurred as the result of fraud as**

3   **described in IC 22-4-13-1(c).**

4   **(b) This chapter does not apply to an individual whose**

5   **overpayment of benefits occurred without fault of the individual as**

6   **described in IC 22-4-13-1(d).**".

7   Page 8, line 4, delete "Sec. 1." and insert "**Sec. 2.**".

8   Page 8, line 26, delete "Sec. 2." and insert "**Sec. 3.**".

9   Page 8, line 28, delete "section 1" and insert "**section 2**".

10   Page 9, line 12, delete "Sec. 3." and insert "**Sec. 4.**".

11   Page 9, line 13, delete "section 2" and insert "**section 3**".

12   Page 10, line 14, delete "Sec. 4." and insert "**Sec. 5.**".

13   Page 10, line 16, delete "unpaid assessment" and insert "**an**

14   **overpayment**".

15   Page 11, delete lines 20 through 42.

16   Page 12, delete lines 1 through 4.

17   Page 12, line 8, after "of" insert ":

18   **(A)**".

19   Page 12, line 9, after "IC 23-1-48" delete "." and insert ";

20   **(B) a limited liability company under IC 23-18-9 or**

21   **IC 23-18-10; or**

22   **(C) a partnership under IC 23-4-1 or IC 23-16-9.**".

23   Page 12, line 11, after "corporation's" insert ", **limited liability**

24   **company's, or partnership's**".

25   Page 12, line 13, after "of" insert ":

26   **(A)**".

27   Page 12, line 14, after "IC 23-1-50" delete "." and insert ";

28   **(B) a foreign limited liability company under IC 23-18-11;**

29   **or**

30   **(C) a partnership under IC 23-4-1 or IC 23-16-10.**".

31   Page 12, line 15, after "corporation" insert "**or the members of a**

32   **limited liability company or partnership employing unit**".

33   Page 12, line 26, after "corporation's" insert ", **limited liability**

34   **company's, or partnership's**".

35   Page 12, line 27, after "corporation's" insert ", **limited liability**

36   **company's, or partnership's**".

37   Page 12, line 29, after "of" insert ":

38   **(i)**".

1   Page 12, line 30, after "shareholders;" insert "**or**

2   **(ii) the member of the limited liability company or**

3   **partnership;**".

4   Page 12, line 31, after "shareholders'" insert "**or members'**".

5   Page 12, line 39, after "directors" insert "**and the members**".

6   Page 12, line 40, after "IC 23-1-35-1(e)," insert "**IC 23-4-1,**

7 **IC 23-16-4, and IC 23-18-4,**".

8   Page 12, line 41, after "corporate" insert ", **limited liability**

9 **company, or partnership**".

10   Page 12, line 42, after "officer" insert ",".

11   Page 12, line 42, strike "or" and insert "**a**".

12   Page 12, line 42, after "director" insert ", **or a member**".

13   Page 13, line 2, after "director" insert "**or member**".

14   Page 13, line 3, after "IC 23-1-35-1(e)" delete ";" and insert ",

15 **IC 23-4-1, IC 23-16-4, and IC 23-18-4;**".

16   Page 13, line 6, after "directors'" insert "**or the limited liability**

17 **company's or partnership's members'**".

18   Page 13, line 12, after "directors" insert "**or the limited liability**

19 **company or partnership members**".

20   Page 13, line 13, after "corporate" insert ", **limited liability**

21 **company, or partnership**".

22   Page 13, line 15, after "director" insert "**or a limited liability**

23 **company or partnership member**".

24   Page 13, line 17, after "director" insert "**or a limited liability**

25 **company or partnership member**".

26   Page 13, line 21, after "liability of" insert ":

27   **(1)**".

28   Page 13, line 21, after "corporation" delete "." and insert "; **or**

29   **(2) the members of a limited liability company or**

30   **partnership.**".

31   Page 13, line 27, after "corporation" insert ", **limited liability**

32 **company, or partnership**".

33   Page 13, line 29, after "(1) the" insert ":

34   **(A)**".

35   Page 13, line 29, after "corporation" insert "; **or**

36   **(B) members of a limited liability company or**

37   **partnership;**".

38   Page 13, line 29, beginning with "have" begin a new line block

1   indented.

2   Page 13, line 31, after "by" insert ":

3   **(A)**".

4   Page 13, line 32, after "corporation" insert "; **or**

5   **(B) members of a limited liability company or**

6   **partnership;**".

7   Page 13, line 32, beginning with "within" begin a new line block

8   indented.

9   Page 13, line 35, after "officers" insert ",".

10   Page 13, line 35, strike "and".

11   Page 13, line 35, after "directors" insert ", **and members**".

12   Page 14, line 12, delete "IC 22-4-29-14(c)," and insert "**IC**

13   **22-4-29-14(b),**".

14   Page 14, line 19, delete "IC 22-4-29-14(c)" and insert "**IC**

15   **22-4-29-14(b)**".

16   Page 14, line 24, delete "one".

17   Page 14, line 25, delete "thousand" and insert "**fifty**".

18   Page 14, line 25, delete "($1,000)" and insert "**($50)**".

19   Page 14, line 27, delete "IC 22-4-29-14(c)" and insert "**IC**

20   **22-4-29-14(b)**".

21   Page 14, line 32, delete "one".

22   Page 14, line 33, delete "thousand" and insert "**fifty**".

23   Page 14, line 33, delete "($1,000)" and insert "**($50)**".

24   Page 14, line 35, delete "IC 22-4-29-14(c)." and insert "**IC**

25   **22-4-29-14(b).**".

26   Page 14, delete lines 38 through 42.

27   Delete pages 15 through 16.

28   Page 17, delete lines 1 through 9.

29   Page 17, line 22, delete "the effective date of" and insert "**June 30,**

1   **2009.**".

2   Page 17, delete lines 23 through 24.

3   Renumber all SECTIONS consecutively.

              (Reference is to SB 477 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

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              Kruse   **Chairperson**